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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177828
Party	Defendant Meagher, Todd Meagher, Todd 2101 Legacy Court Keller, TX 76248
Correspondence Address	MEAGHER, TODD 2101 LEGACY CT KELLER, TX 76248-8449 toddme@gher.com
Submission	Motion to Consolidate
Filer's Name	Erik M. Pelton
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Date	07/23/2007
Attachments	mystore - Motion to Consolidate.pdf (2 pages)(9958 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SNOCAP, INC.,)	
Opposer,)	Opposition No. 91177827
v.)	Application. Serial No. 78853849
Todd Meagher.)	Mark: MYSTORE
Applicant.)	

MOTION TO CONSOLIDATE

COMES NOW Todd Meagher (“Applicant”), by Counsel, and motions this Board to consolidate this action, Opposition No. 91177827 with Opposition No. 91177828 pursuant to T.M.B.P. Section 511 and Fed R. Civ. P. 42(a). In support of this Motion, Applicant alleges the following:

1. Opposition proceeding No. 91177827 was filed by SNOCAP, INC. against Applicant concerning the mark MYSTORE.
2. Opposition proceeding No. 91177828 was filed by SNOCAP, INC. against Applicant concerning the mark MYSTORE.COM.
3. Opposition proceeding Nos. 91177827 and 91177828 involve the identical parties.
4. The parties in Opposition proceeding Nos. 91177827 and 91177828 are represented by the same counsel.
5. Opposition proceeding Nos. 91177827 and 91177828 involve common questions of law and fact.
6. Consolidation of the Opposition proceedings will avoid duplicative filings for both parties involved as well as the Board.

7. Consolidation of the Opposition proceedings will avoid unnecessary costs for both parties involved as well as the Board.

8. Consolidation of the Opposition proceedings will not result in any prejudice to the Opposer.

WHEREFORE, Applicant respectfully requests that this Motion be granted.

Respectfully Submitted,

TODD MEAGHER

By: /ErikMPelton/
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Motion for Consolidation was deposited as First Class mail with the United States Postal Service on July 23, 2007, to Counsel for Opposer at the following address:

Martin R. Greenstein
TechMark a Law Corporation
4820 Harwood Road, 2nd Floor
San Jose, CA 95124-5273

By: /ErikMPelton/
Erik M. Pelton, Esq.